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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**TUESDAY, MAY 18, 2021.**

[45]\*

# JOURNAL OF THE HOUSE.

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Tuesday, May 18, 2021.

Met according to adjournment at eleven o'clock A.M., under emergency rules, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

## *Silent Prayers.*

During the session, the Chair (Ms. Hogan of Stow), declared a brief recess, and at the request of Representatives Balser of Newton and Decker of Cambridge, the members and employees stood in a moment of silent tribute to the memory of Susan Cole.

Susan Cole.

Today we mourn the passing of Susan Cole, one of the state's leading advocates on addressing child trauma. We send our sympathies to her family and colleagues.

Susan was not just an expert in her field, but through her work at Massachusetts Advocates for Children, she was also a friend and trusted partner of the House of Representatives on policies improving the lives of our most vulnerable children. Her leadership and perseverance on behalf of the children of the Commonwealth lasted for almost two decades.

Susan's work advocating for Safe and Supportive Schools has made Massachusetts a leader in these efforts and her input over the years on state budget and policy to address child trauma cannot be understated.

Susan's imprint was felt most when the House's drafted its historic 2014 law An Act to Reduce Gun Violence, which created a permanent commission to ensure schools continue to foster a safe, positive, healthy and inclusive learning environment one that went beyond academics.

As the state recovers from the pandemic and students return to school—students we know who have been impacted by multiple stressors over the past year—Susan's work and influence addressing children's social and emotional needs will no doubt continue.

The state owes Susan Cole a debt of gratitude for her expertise and commitment to this work, which for her, was a labor of love. The members are asked to please stand for a moment of silence for Susan Cole.

During the session, Mr. Cusack of Braintree took the Chair, on behalf of himself and Speaker Mariano of Quincy, the members and employees stood in a moment of silent tribute in respect to the memory of Richard McGaughey a lifelong resident of Holbrook, who passed away surrounded by his family on May 12, 2021.

Richard  
McGaughey.

Rick was a graduate of Holbrook High School's Class of 1956, he proudly served the town of Holbrook throughout his years, and if there was a committee to be on, Rick was on it. He was a longstanding member of the Saint Joseph's finance committee, assisting in paying off the mortgage of the Church, the same Church

where you could find him sitting in the back every weekend for Mass. He was elected to six consecutive 3-year terms on Holbrook's Board of Selectmen, the longest tenure in Holbrook's history. While holding this position, he helped the organization of the town's annual Memorial Day Parade, Holbrook's yearly Christmas tree lighting, the creation of the Veteran's Memorial in Mary Wales Park, helped to obtain a donation for the public library, and so much more. He also served on the Housing Authority of Holbrook and the Holbrook Cemetery Committee. For 48 years, Rick was involved with the Stan Mikita American Hearing Impaired Hockey Association, first as a devoted parent, and then as a dedicated supporter. As a proprietor of family run businesses and real estate, in 1968, he became the proud owner of Hennessy News, a small-town, family-run business in Hingham. He eventually opened seventeen stores in several towns. Throughout the years, he was well known on the South Shore as a generous and fair employer to generations of families.

*Petitions.*

The following additional petition (having been deposited in the office of the Clerk of the House, previously to five o'clock P.M., on Friday, February 19, 2021) was referred, under Rule 24 and Joint Rule 13, as follows:

Mr. D'Emilia of Bridgewater presented a petition (accompanied by bill, House, No. 3772) of Angelo L. D'Emilia (with the approval of the county commissioners) that the Bristol County Retirement Board be authorized to grant creditable service to Frank Cabral Jr. To the committee on Public Service. Sent to the Senate for concurrence.

Frank Cabral,—  
creditable  
service.

Petitions (deposited with the Clerk previously to five o'clock in the afternoon on Friday, February 19, 2021) were presented and they were severally referred, as follows:

By Mr. D'Emilia of Bridgewater, a petition (subject to Joint Rule 7A) of Angelo L. D'Emilia that the Bristol County Retirement Board be authorized to grant creditable service to Christopher J. Gallagher.

Christopher  
Gallagher.

By Ms. Peake of Provincetown, a petition (subject to Joint Rule 7A) of Sarah K. Peake that Holly Thyng be authorized to purchase creditable service from the Barnstable county retirement board.

Holly Thyng,—  
creditable  
service.

Severally, under Rule 24, to the committee on Rules.

*Reports of Committees.*

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Carolyn C. Dykema and others relative to the effective date of MassHealth coverage for new applicants. To the committee on Health Care Financing.

MassHealth,—  
effective date.

Petition (accompanied by bill) of Maria Duaine Robinson and Jack Patrick Lewis that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the city of Framingham to the Claremont Realty Trust. To the committee on State Administration and Regulatory Oversight.

Framingham,—  
land.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

*Recess.*

At three minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twelve minutes after one o'clock, the House was called to order with Ms. Hogan of Stow in the Chair.

Recess.

*Quorum.*

As required under the provision of Emergency Rule 2(4), a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 159 members were recorded as being in attendance.

Quorum,—  
yea and nay  
No. 33.

**[See [Yea and Nay No. 33](#) in Supplement.]**

Therefore a quorum was present.

*Orders of the Day.*

The engrossed Bill providing for Massachusetts COVID-19 emergency paid sick leave (see House, No. 3702), being a printed copy of sections 13 to 17, inclusive, and also sections 22 and 29 contained in the engrossed Bill financing a program for improvements to the Unemployment Insurance Trust Fund and providing relief to employers and workers in the Commonwealth (see House, No. 90, amended), which had been returned by His Excellency the Governor with recommendation of amendments (for message, see House, No. 3703), was considered.

COVID-19,—  
paid sick  
leave.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

After remarks on the question on adoption of the amendment recommended by the Governor (as reported by the committee on Bills in the Third Reading), the sense of the House was taken by yeas and nays, at the request of Mr. Cutler of Pembroke; and on the roll call 0 members voted in the affirmative and 158 in the negative.

Governor's  
amendment  
rejected,—  
yea and nay  
No. 34.

**[See [Yea and Nay No. 34](#) in Supplement.]**

[Ms. Whipps of Athol answered "Present" in response to her name.]

Therefore the amendment was rejected.

Representatives Michlewitz of Boston and Cutler of Pembroke then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3771.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Cutler of Pembroke; and on the roll call 157 members voted in the affirmative and 0 in the negative.

Amendment  
adopted,—  
yea and nay  
No. 35.

**[See [Yea and Nay No. 35](#) in Supplement.]**

[Representatives Ciccolo of Lexington and Whipps of Athol answered "Present" in response to their names.]

Therefore the amendment was adopted. Sent to the Senate for concurrence.

Subsequently a statement of Ms. Uytterhoeven of Somerville was spread upon the records of the House as follows:

MADAM SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call, I had requested that I be recorded in the affirmative. However, I now find that due to an apparent communication problem with the Division Monitor, I was not recorded as having voted. If my vote had been recorded, it would have been in the affirmative.

Statement of  
Ms. Uytterhoeven  
of Somerville.

*Engrossed Bill — State Loan.*

The engrossed Bill financing the reconstruction of the Soldiers' Home in Holyoke (see House, No. 3770) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

Holyoke  
Soldiers'  
Home.

After debate on the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 160 members voted in the affirmative and 0 in the negative.

Bill enacted  
(state loan),—  
yea and nay  
No. 36.

[See [Yea and Nay No. 36](#) in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Order.*

On motion of Mr. Mariano of Quincy,—

*Ordered,* That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next  
sitting.

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At half past two o'clock P.M., on motion of Mr. Hill of Ipswich (Ms. Hogan of Stow being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.